NOT INCLUDED IN BOUND VOLUMES

PHJ Salt Lake City, UT

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC, LOCAL 838

and

Case 27-CB-093060

CORY B. SWARTZ

and

FREEMAN DECORATING COMPANY

ORDER APPROVING STIPULATION, GRANTING MOTION, AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon a joint motion by Respondent International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, AFL-CIO, CLC, Local 838, Charging Party Cory B. Swartz, and the General Counsel to waive a hearing and decision by an administrative law judge, and to transfer the proceedings to the Board for a decision based on the stipulated record.

On March 28, 2013, the General Counsel of the National Labor Relations Board, through the Regional Director for Region 27, issued a complaint and notice of hearing alleging that the Respondent violated Section 8(b)(1)(A) of the Act by maintaining

an attendance rule in its Job Referral Procedure that conditions eligibility for dispatch/job referral upon payment of fines to the Respondent.

On January 24, 2014, the parties filed a Joint Motion and Stipulation of Facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for issuance of findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the Joint Motion is granted and the case is transferred to and continued before the Board in Washington, D.C. for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the joint stipulated record, which includes a stipulation of facts, Exhibits 1 through 10, and statements of position by the Respondent and the General Counsel, is approved and made a part of the record.

The parties may file briefs with the Board in Washington, D.C. on or before May 21, 2014, and answering briefs 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington D.C. April 30,2014	
By Direction of the Board:	
Gary Shinners	
Executive Secretary	